

19.307

48 CFR Ch. 1 (10-1-99 Edition)

GC&8(a)BD's decision is the final decision.

[63 FR 70269, Dec. 18, 1998, as amended at 64 FR 51831, Sept. 24, 1999]

EFFECTIVE DATE NOTE: At 64 FR 51831, Sept. 24, 1999, section 19.306 was amended by revising paragraphs (c), (e), and (k), effective Nov. 23, 1999. For the convenience of the user, the superseded text is set forth as follows:

19.306 Protesting a firm's status as a HUBZone small business concern.

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(c) All protests shall be in writing and shall state all specific grounds for the protest. Assertions that a protested concern is not a HUBZone small business concern, without setting forth specific facts or allegations, is insufficient. An offeror shall submit its protest to the contracting officer. The contracting officer and the SBA shall submit their protests to SBA's Associate Administrator for the HUBZone Program (AA/HUB).

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(e) Except for premature protests, the contracting officer shall forward any protest received, notwithstanding whether the contracting officer believes that the protest is insufficiently specific or untimely, to: AA/HUB, U.S. Small Business Administration, 409 3rd Street, SW, Washington, DC 20416.

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(k) The ADA/GC&8(a)BD will make its decision within 5 business days of the receipt of the appeal, if practicable, and will base its decision only on the information and documentation in the protest record as supplemented by the appeal. SBA will provide a copy of the decision to the contracting officer, the protester, and the protested HUBZone small business concern. The ADA/GC&8(a)BD's decision is the final decision.

19.307 Solicitation provisions.

(a)(1) Insert the provision at 52.219-1, Small Business Program Representations, in solicitations exceeding the micro-purchase threshold when the contractor will perform the contract inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia.

(2)(i) Use the provision with its Alternate I in solicitations issued by the following agencies on or before September 30, 2000:

(A) Department of Agriculture.
(B) Department of Defense.
(C) Department of Energy.
(D) Department of Health and Human Services.
(E) Department of Housing and Urban Development.
(F) Department of Transportation.
(G) Department of Veterans Affairs.
(H) Environmental Protection Agency.

(I) General Services Administration.
(J) National Aeronautics and Space Administration.

(ii) Use the provision with its Alternate I in solicitations issued by all Federal agencies after September 30, 2000.

(3) Use the provision with its Alternate II in solicitations issued by DoD, NASA, or the Coast Guard that the contracting officer expects will exceed the threshold at 4.601(a).

(b) Insert the provision at 52.219-22, Small Disadvantaged Business Status, in solicitations that include the clause at 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns, or 52.219-25, Small Disadvantaged Business Participation Program—Disadvantaged Status and Reporting. Use the provision with its Alternate I in solicitations for acquisitions for which a price evaluation adjustment for small disadvantaged business concerns is authorized on a regional basis.

(c) When contracting by sealed bidding, insert the provision at 52.219-2, Equal Low Bids, in solicitations and contracts when the contractor will perform the contract inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia.

[64 FR 51832, Sept. 24, 1999]

EFFECTIVE DATE NOTE: At 64 FR 51832, Sept. 24, 1999, section 19.307 was revised, effective Nov. 23, 1999. For the convenience of the user, the superseded text is set forth as follows:

19.307 Solicitation provision.

(a)(1) The contracting officer shall insert the provision at 52.219-1, Small Business Program Representations, in solicitations exceeding the micro-purchase threshold when the contract is to be performed inside the United States, its territories or possessions,